

GOLDER ASSOCIATES, INC.,

AGBCA No. 2001-151-1

Appellant

Representing the Appellant:

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DECISION OF THE BOARD OF CONTRACT APPEALS

February 11, 2002

Before POLLACK, VERGILIO, and WESTBROOK, Administrative Judges.

Opinion for the Board by Administrative Judge WESTBROOK.

This appeal arises out of Contract No. 53-4310-93 between Golder Associates, Inc., of Atlanta, Georgia (Appellant), and U. S. Department of Agriculture, Natural Resources Conservation Service, Athens, Georgia (Government). The contract was for architect engineering services for rehabilitation of dam no. 6, Potato Creek Watershed, Upson County, Georgia, and dam no. 8, Pine Log Tributary Watershed, Gordon County, Georgia.

Appellant appealed the Contracting Officer's (CO's) decision of March 1, 2001, granting in part and denying in part Appellant's claims for alleged changes and delays in performance of the contract. The CO found Appellant entitled to an equitable adjustment of \$8,462.33 and a time extension of

243 days. The total amount of the claim is not clear from the CO's decision but appears to have been \$42,727.43. The appeal was received at the Board May 29, 2001.

The Board has jurisdiction to decide the appeal under the Contract Disputes Act of 1978, 41 U.S.C. §§ 601-613 (CDA).

On July 3, 2001, the Board received a letter from Appellant's counsel stating that the appeal had been settled. He also stated that Government counsel had agreed to a 2-week extension of time to allow for finalizing the settlement and filing dismissals.

By letter dated December 21, 2001, Government counsel transmitted to the Board a copy of Modification No. 3 to the contract signed by both parties equitably adjusting the contract in the amount of \$25,558.28 and extending the contract completion date by 267 calendar days.

DECISION

The appeal having been settled and a bilateral modification having been issued, the appeal is dismissed with prejudice.

ANNE W. WESTBROOK
Administrative Judge

Concurring:

HOWARD A. POLLACK
Administrative Judge

JOSEPH A. VERGILIO
Administrative Judge

Issued at Washington, DC
February 11, 2002